

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**CASE NO.: 1:17-CR-00516-CAB**

Plaintiff,

**JUDGE: CHRISTOPHER BOYKO**

vs.

**DANA CAIN**

**Defendant.**

**MOTION FOR CONTINUANCE**

Defendant, Dana Cain, through undersigned counsel, respectfully requests the Court for an Order continuing the Jury Trial scheduled for February 15, 2018 in the above-captioned case to a date and time convenient to the court and the parties. The reasons in support of this request are set forth in the following memorandum.

Respectfully submitted,

*Steve G. Albenze*  
Steve G. Albenze (0089558)  
**Berki & Albenze LLC**  
124 Middle Ave. Suite 700  
Elyria, Ohio 44035  
Phone (440) 323-0687  
Fax (440) 323-0257  
Email: balegalteam@gmail.com

*Attorney for Defendant*

**MEMORANDUM**

This case is scheduled for a Jury Trial on February 15, 2018 at 9:00a.m.. Counsel has requested discovery on this case but has not yet received a copy. Counsel will require sufficient time to review the extensive discovery involved in this case. In addition, Counsel for Defendant is scheduled to be in a trial on a criminal felony case at the Lorain County Common Pleas Court (State of Ohio v. Joseph Elkins, 17CR096326) on the same date. As such, Counsel requests this court continue the scheduled trial in order for all parties to be fully prepared. Counsel assures the Court that this request is not intended to cause inconvenience to the Court or the parties. Accordingly, Counsel respectfully requests a continuance to a later date.

Respectfully submitted,

Steve G. Albenze  
Steve G. Albenze (0089558)  
**Berki & Albenze LLC**  
124 Middle Ave. Suite 700  
Elyria, Ohio 44035  
Phone (440) 323-0687  
Fax (440) 323-0257  
Email: balegalteam@gmail.com

*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

A copy of the foregoing Motion was sent to: Assistant US Attorney, at 801 W. Superior Ave., Suite 400, Cleveland, OH 44113, by electronic filing, this 10<sup>th</sup> day of January, 2018.

Steve G. Albenze  
Steve G. Albenze